



Honorable Mike K. Nakagawa  
United States Bankruptcy Judge



Entered on Docket  
February 24, 2023

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

\* \* \* \* \*

In re:

CASH CLOUD, INC.,  
dba COIN CLOUD,

Debtor.

Case No.: 23-10423-mkn  
Chapter 11

Settlement Conference  
Date: March 29 and 30, 2023  
Time: 9:00 a.m.

**Briefs Due: March 23, 2023**

Status Conference  
Date: April 12, 2023  
Time: 10:30 a.m.

**ORDER SCHEDULING SETTLEMENT CONFERENCE**

Pursuant to agreement among the parties-in-interest,

A settlement conference is hereby ordered to commence on **March 29 and 30, 2023 at 9:00 a.m.** before U.S. Bankruptcy Judge Gregg W. Zive in Courtroom #1, 300 Booth Street, Reno, Nevada. The purpose of the settlement conference is to negotiate a consensual plan with the key constituents.

All counsel of record that will be participating in the resolution of this matter, all parties-in-interest appearing pro se, if any, and all individual parties-in-interest must be present. In the case of non-individual parties, counsel shall arrange for a representative, with binding authority to settle, to be present in court for the duration of the settlement conference.

**Any requested exception to the attendance requirements must be submitted to the settlement conference judge for approval in advance of the settlement conference.**

**PREPARATION FOR SETTLEMENT CONFERENCE**

No later than five (5) business days before the settlement conference, the parties

1 shall exchange written settlement offers. No later than four (4) business days before the  
 2 settlement conference each party shall submit a confidential settlement conference statement,  
 3 which will include a copy of the last settlement offer, to the Reno chambers of Judge Zive for in  
 4 camera review. If not timely submitted, sanctions may be imposed.

5 **The settlement conference statement shall be delivered to chambers in an envelope**  
 6 **clearly marked “Contains Confidential Settlement Statement.” DO NOT SERVE A COPY**  
 7 **ON OPPOSING COUNSEL. A PDF of the hard copy shall also be e-mailed to Judge**  
 8 **Zive’s chambers at Molly\_Pfau@nvb.uscourts.gov on the same day hard copies are**  
 9 **delivered to chambers.**

10 The settlement conference statement shall be no longer than five (5) double-spaced  
 11 pages, and shall contain the following:

12 1. A brief statement of the nature of the action. **In addition, the parties shall each**  
 13 **add an appendix setting forth the issues that will be subject to settlement.**

14 2. A concise summary of the evidence that supports your theory of the case,  
 15 including information documenting your damages claims. You may attach to your statement a  
 16 limited number of documents or exhibits that are especially relevant to key factual or legal  
 17 issues.

18 3. A brief analysis of the key issues involved in the litigation.

19 4. A discussion of the strongest points in your case, both legal and factual, and a  
 20 frank discussion of the weakest points as well. The court expects you to present a candid  
 21 evaluation of the merits of your case.

22 5. A further discussion of the strongest and weakest points in your opponents’ case,  
 23 but only if they are more than simply the converse of the weakest and strongest points in your  
 24 case.

25 6. A history of settlement discussions, if any, which details the demands and offers  
 26 which have been made, and the reasons they have been rejected.

27 7. The settlement proposal that you believe would be fair.

28 8. The settlement proposal that you would honestly be willing to make in order to  
 conclude this matter and stop the expense of litigation. In order to facilitate a meaningful

1 conference, your utmost candor in responding to all of the above listed questions is required. The  
2 confidentiality of each statement will be strictly maintained and following the conference, the  
3 statements will be destroyed.

4 **The settlement conference shall not be continued or vacated without prior**  
5 **approval of the Judge assigned to the case. Failure to appear will result in the imposition of**  
6 **sanctions.**

7 IF THE MATTER IS SETTLED BEFORE THE SETTLEMENT CONFERENCE  
8 DATE, THE PARTIES MUST NOTIFY THE SETTLEMENT CONFERENCE JUDGE'S  
9 CALENDAR CLERK SO THAT THE MATTER CAN BE TAKEN OFF CALENDAR.

10 **FOLLOW UP STATUS CONFERENCE**

11 A status conference shall be held in the above-referenced proceeding on **April 12, 2023,**  
12 **at 10:30 a.m.,** before U.S. Bankruptcy Judge Mike K. Nakagawa by telephonic appearance.

13 Absent further order of the court, the parties must participate and appear telephonically in the  
14 status conference by dialing (669) 254-5252; Meeting ID: 161-062-2560; Passcode: 029066.

15 Instructions for appearing via telephone are available on the court's website at:

16 [www.nvb.uscourts.gov/news-rss/announcements/2020/0319-court-hearing-participation/](http://www.nvb.uscourts.gov/news-rss/announcements/2020/0319-court-hearing-participation/).

17 Copies sent via CM/ECF ELECTRONIC FILING

18 Copies sent via BNC to:

19 Jordi Gusó, Esq.

Berger Singerman LLP

20 1450 Brickell Avenue, Suite 1900

21 Miami, FL 33131

22 Jeffrey R. Sylvester, Esq.

Sylvester & Polednak, Ltd.

23 1731 Village Center Circle

24 Las Vegas, NV 89134

25 Sean A. O'Neal, Esq.

Jane VanLare, Esq.

26 Cleary Gottlieb Steen & Hamilton LLP

One Liberty Plaza

27 New York, NY 10006

1 Gary S. Lee, Esq.

2 Andrew Kissner, Esq.

3 Morrison & Foerster LLP

250 West 55<sup>th</sup> Street

3 New York, NY 10019

4 James P. Shea, Esq.

5 Shea Larsen

1731 Village Center Circle, Suite 150

6 Las Vegas, NV 89134

7 # # #  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28